

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

ERIK CURRAN

Plaintiff,

v.

Civil Action No. 2:07-cv-354  
(Honorable John T. Copenhaver)

AMAZON.COM, INC.,  
a Delaware corporation;  
GETTY IMAGES, INC.,  
a Delaware corporation;  
ST. MARTIN'S PRESS, LLC,  
a New York corporation;  
SIDESHOW INC., d/b/a SIDESHOW  
COLLECTIBLES, a Delaware corporation  
HOT TOYS, LTD., a business entity  
incorporated in Hong Kong; and  
CAFÉ PRESS.COM, INC. a Delaware  
corporation,

Defendants.

MOTION TO AMEND COMPLAINT TO ADD CORRECT PARTY

Comes now the plaintiff, by counsel, pursuant to Federal Rules of Civil Procedure 15 and moves the Court for an Order allowing him to amend his complaint to add the correct party.

Rule 15(s) states in part, "leave (to amend a complaint) shall be freely given when justice so requires."

Plaintiff incorrectly named Sideshow Inc., d/b/a Sideshow Collectibles, a Delaware corporation, as a party to the action filed in the Circuit Court of Kanawha

County. Information has now been provided that the correct Sideshow Inc. is a business licensed as a California corporation. Plaintiff seeks leave to amend his complaint to reflect Sideshow, Inc., a California corporation, as the correct party to the action and asks that Sideshow Inc., d/b/a Sideshow Collectibles, a Delaware corporation be dismissed from the action.

For the foregoing reasons, plaintiff prays that the Court grant his motion to amend his complaint to correctly name Sideshow, Inc. as a party and that the Court award any other relief that it deems just and appropriate.

Respectfully submitted.

ERIK CURRAN

By Counsel

**s/Charles M. Love, IV**

Marvin W. Masters, Esquire  
West Virginia State Bar No. 2359  
Charles M. Love, IV, Esquire  
West Virginia State Bar No. 7477  
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Counsel for Plaintiff  
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CERTIFICATE OF SERVICE

I, Charles M. Love, IV, do hereby certify that true and exact copies of "Motion To  
Amend Complaint To Add Correct Party" were served upon:

John H. Tinney, Esquire  
The Tinney Law Firm, PLLC  
Bank One Center, 14th Floor  
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via electronic filing this 18th day of June, 2007; and upon:

Ian C. Ballon, Esquire  
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Counsel for Sideshow, Inc., d/b/a Sideshow Collectibles

in envelopes properly addressed, stamped and deposited in the regular course of the  
United States Mail this 18th day of June, 2007

**s/Charles M. Love, IV**  
Charles M. Love, IV, Esquire  
West Virginia State Bar No. 7477